PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number: SVL920030110US1	
I hereby certify that this correspondence is being transmitted via the EFS-Web System to the USPTO on: October 12, 2010 Signature:_____/David Victor/_____ Typed or Printed Name: David W. Victor	**Application Number:** 10/766,673	**Filed:** January 27, 2004
	First Named Inventor: S.K. MA	
	Art Unit: 2179	**Examiner:** Sara M. England

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached five (5) sheet(s).
 Note: No more than five (5) pages may be provided.

I am the:

☐ applicant/inventor

☐ assignee of record of the entire interest.
  See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
  is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
  Registration Number Registration No. 39,867

☐ attorney or agent acting under 37 CFR 1.34
  Registration number if acting under 37 CFR 1.34
  _____

 _____/David Victor/_____
 Signature

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 _____October 12, 2010_____
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required*.

Applicant(s):	S.K. MA	Examiner	Sara M. England
Serial No.	10/766,673	Group Art Unit	2179
Filed	January 27, 2004	Docket No.	SVL920030110US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR NAVIGATING FILES		

PRE-APPEAL BRIEF REQUEST FOR REVIEW ARGUMENTS

Applicants review and reconsideration of the rejection of the Examiner finding that claims 1-4, 7-10, 31-34, 36-43, and 45-48 are obvious (35 U.S.C. §103) over Moehrle (U.S. Patent No. 7,216,301) in view of Rochford (U.S. Patent No. 6,633,312) in the final office action dated July 12, 2010 ("FOA").

Claims 1, 31, and 40: Applicants request review of the Examiner findings of receiving selection of data set names and files in a search panel and rendering the selected data set names and the selected at least one selected file component name in a history panel, wherein the selected first data set name and selected at least one file component are displayed in a hierarchical tree arrangement, and wherein the history panel and the search panel are rendered concurrently in a graphical user interface. The Examiner cited FIGs. 4B, 5A, 5B and elements 1.0.1.2, 1.2.3, ref . 50 of Moehrle with respect to these claim requirements. (FOA, pgs. 3) In the Response to Arguments, the Examiner found that Moehrle teaches that the history panel and search panel are rendered concurrently, citing FIGs. 5A and 4b. (FOA, pg. 12)

The cited FIG. 4A, element 102 discusses an initial view of an active path having a single active link. Moehrle defines an active path as a sequence of active links as items, where an active link provides direct access to a function corresponding level or menu item without the need to navigate using a GUI. (Moehrle, col. 2, lines 45-51). FIGs. 4B shows a user browsing the active path 100 of FIG. 4A and that rolling over active link 1.2.3 causes the display of all siblings of the rolled over active link, 1.2.3.1, 1.2.3.2, 1.2.3.3. Rolling over an active link displays the siblings and children of the active link. (Moehrle, col. 5, lines 27-32) Moehrle describes FIG. 4b as providing a time delay in displaying the children of the browsed active link, such as one of the menu items. (Moehrle, col. 5, lines 33-40) The cited Moehrle discusses displaying hierarchical active links or menu items that are used to execute functions. (Moehrle, col. 5, lines 4-20).

This discussion of browsing an active link, representing a function, to cause a display of children of that active link, does not teach or suggest rendering the selected first or second data set name and a selected file component name in a search panel and concurrently rendering a history panel showing the selected first and second data set names and the selected file components in a hierarchical tree arrangement, where the search and history panels separately and concurrently render their information in a GUI. Instead, the cited Moehrle show a single menu tree to select active links arranged in a hierarchical fashion. The cited Moehrle does not teach separate search and history panels that concurrently and separately render in the GUI the currently selected data set name and file components in the search panel and, in the history panel, display currently and previously selected data set names and file components.

The Examiner further found that FIG. 4a of Moehrle shows selecting a data set, and displaying that data set name and a file component along the top line, which the Examiner likened to the history panel, and hierarchically, indented hierarchical names. (FOA, pg. 13) Applicants request review because FIGs. 4A and 4b just show menu items, and upon selection of a menu item, further children menu items, representing functions. Although there is a hierarchical nature to this display, the cited Moehrle still does not teach or suggest the claim requirement of displaying previously and currently selected data set names and selected file components in a history panel concurrently with a search panel that displays a selected data set name and the file components associated with the selected data set name. Instead, Moehrle only shows children of a selected menu item when that menu item is browsed.

Applicants further request review because the cited active links of Moehrle do not comprise a data set name and selected file component name of the selected data set name as claimed. Moehrle concerns displaying active links. If an active link selected is not an end link, then subordinate levels are displayed, if an end link is selected, the associated function is re-executed. (Moehrle, col. 5, line 65 to col. 6, line 21) The claims require selection and display of data set names and component files of the data set names including source code files. The cited Moehrle concerns the display of active links to provide selection of functions associated with active links, not selection of data set names and their component files as claimed.

Applicants request review and reconsideration of the Examiner finding that FIGs. 2A and 8 and accompanying text, including nodes 212 and 80 of Rochford teach the claim requirements of rendering a history panel with selected first and second data set names and selected file

components associated with the first and second data sets are displayed together in the hierarchical tree arrangement to display previously and currently selected data set names and component file names of the selected data sets. (FOA, pgs. 3-4)

Rochford discusses a layer cake selection window in which the user may select regions and attributes to display network components for the selected region and attributes. FIGs. 2A-3B of Rochford show how a user may select a region as a base view and then select an attribute to further narrow the display to network features in the base view region. (Rochford, cols. 7-8 and 11-13) The cited FIG. 8 is a history window in which selected layer cakes (network features) are displayed. (Rochford, col. 16, lines 56-65) The layer cakes are saved with a hierarchical structure, such that a network feature may not be viewed without a base view. (Rochford, col. 17, lines 3-19) Although the cited FIG. 8 shows a history view of network features previously viewed, this does not teach or suggest displaying selected first and second data set names and selected file components of the first and second data sets name in a hierarchical tree arrangement as claimed. Instead, FIG. 8 has a flat view of previously viewed network features.

Applicants further request review of the Examiner finding that the combination of Moehrle and Rochford teach the claim requirements. (FOA, pg. 4) Moehrle discusses displaying menu items and children of menu items that are browsed and Rochford discusses a history view displaying previously viewed network features.   However, the Examiner has not shown where the cited references teach displaying concurrently a search panel and history panel in a GUI. Although the cited Moehrle and Rochford separately discuss displaying a menu of items and child items and a history of selected network components and features, there is no suggestion of displaying concurrently a history panel and search panel of data set names and file components concurrently and previously selected as claimed in one GUI.

Dependent Claims 2, 32, and 41: Applicants request review and reconsideration of the Examiner finding that FIG. 4B, 10a-102, 101 and col. 3, lines 22-23 of Moehrle and FIG. 8 of Rochford teach the claim requirements that the first and second data set names are displayed as a parent at a higher hierarchical level to the file components associated with the displayed first and second data set names, wherein the file components are rendered as children in the history panel

of the first or second data set with which they are associated. These claims depend from the base claims. (FOA, pg. 5)

The cited FIG. 4B of Moehrle shows menu items that are siblings, where the menu items are active links. Rolling over an active link with a pointer results in the display of siblings and children of the active link. (Moehrle, col. 5, lines 27-31) The active links are functions that may be executed. Nowhere does the cited FIG. 4B teach a history panel that displays a selected first and second data set names as a parent to their associated file components, which is different from the search panel displaying data set names and file component names which the user may select. Instead, the cited FIG. 4B displays a hierarchical arrangement of active links that may be selected to execute a function, not those selected data set file component names as claimed. The cited FIG. 8 of Rochford discusses a history panel showing searched regions and network attributes used to filter a region search in a history panel. This does not teach displaying data set names as a parent at a higher hierarchical level to associated file components. The Examiner has not cited where Rochford teaches that the cited regions are at a parent hierarchical level to the network features. Instead, the cited Rochford discusses how the network features searched on are dependent on the previous base view or region filtering. However, there is no teaching that the region comprises a parent at a higher hierarchical level to the network feature searched upon in FIGs. 3A and 3B.

Dependent Claims 4, 34, and 43: Applicants request review and reconsideration of the Examiner finding that col. 9, lines 16-20 of Moehrle teaches the claim requirement of transmitting a request for file component names of the selected data set name, wherein the displayed file component names comprise file component names returned in response to the transmitted request for file component names.

The cited col. 9 mentions a data file representing the hierarchical structure of a multi-level hierarchical website is either constructed or retrieved from the server. The data file representing the information hierarchy of the location may be dynamically created from the directory structure and the hypertext markup language (HTML) available on the server and client files. Although the cited col. 9 mentions retrieving a data file representing a hierarchical structure of a web site, this does not teach transmitting a request for file components, including source code files, of a selected data set name, where the displayed file component names for the

selected data set name are the file component names returned in response to the transmitted request for the file component names. Instead, the cited col. 9 discusses retrieving a data file representing a hierarchical structure of a web site, not file component names associated with a selected data set name.

Claims 49, 50, and 51: Applicants request review and reconsideration of the Examiner finding that the additionally cited FIG. 1, ref 2 and 4 of Weber (7,370,281) teaches the claim requirement that the selected and displayed file components include source code files being accessed by a developer. (FOA, pg. 11)

 The cited Weber discusses using a GUI interface for Java source files in a Java application development environment.   Although Weber discusses displaying source code, the Examiner has not cited where the combination of requirements of a search panel and history panel to provide for the display and selection of file components and data sets comprising source code files.

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